

# CENTER for JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station  
White Plains, New York 10605-0069

Tel. (914) 421-1200  
Fax (914) 428-4994

E-Mail: [judgewatch@aol.com](mailto:judgewatch@aol.com)  
Website: [www.judgewatch.org](http://www.judgewatch.org)

*Elena Ruth Sassower, Coordinator*

BY FAX: 212-556-4634 (2 pages)  
BY CERTIFIED MAIL: 7002-2030-0007-8572-9075

November 30, 2005

George Freeman, Assistant General Counsel  
The New York Times Company  
229 West 43<sup>rd</sup> Street  
New York, New York 10036

RE: New York Times' protocols and procedures with respect to requests for correction of false and defamatory publication

Dear Mr. Freeman:

This follows up your public assertion that The New York Times has a "strong policy" of correcting factual errors and readily does so "irrespective of whether it increases or decreases the chances of being sued" – which you stated as a panelist at the November 16<sup>th</sup> program, "*Freedom of the Press or License to Libel: Balancing Freedom of the Press with an Individual's Right to Protect 'A Good Name' from Defamatory Statements*", sponsored by the New York University Law School Alumni Association.

In comments from the microphone, I publicly took issue with that assertion. I stated that The Times had not even given me the courtesy of a response to a letter I had written for correction of a column about me which I had demonstrated to be knowingly false and defamatory throughout. I recounted that the letter had been addressed to Bill Keller, with copies to Arthur Sulzberger, Jr., Jill Abramson, and Allan Siegal, among others – and that when I thereafter turned to Byron Calame, his position was that because the column was published before he became public editor, he would not get involved.

After the program, I introduced myself to you and expressly asked whether you were unaware of my referred-to July 29, 2005 letter for correction of a November 7, 2004 column by Marek Fuchs. You replied that you had no knowledge of it. You also stated that you were unaware of my nearly 15-year correspondence with The Times that preceded the column, including a succession of complaints to Mr. Sulzberger pertaining to Times' suppression, protectionism, and black-balling which that correspondence chronicled.

November 30, 2005

Kindly advise as to whether other counsel at The New York Times Company's Legal Department were also unaware of my July 29, 2005 letter and subsequent September 26, 2005 complaint to Mr. Calame – at least prior to my November 1<sup>st</sup> fax to the Legal Department listing defendants upon whom I would be serving a summons and complaint and my subsequent telephone conversation with counsel David McCraw.

Assuredly, The Times has established protocols and procedures requiring the newspaper's editors to consult with the Legal Department before rejecting – or in this case, ignoring -- requests for correction of published matter shown to be knowingly false and defamatory. Such protocols and procedures are plainly in The Times' interest in reducing the likelihood of its being successfully sued for libel and money damages. The consequence of libel lawsuits – borne by The New York Times Company -- are tens, if not hundreds, of thousands of dollars in legal fees, potentially millions of dollars in damages – and attendant negative publicity that could cause the value of New York Times Company stock to tumble.

As a shareholder in New York Times Company stock, I – as any Times Company shareholder – am concerned that negligent and violative conduct by the newspaper's editors, as well as by its publisher, the Company's chairman, not expose the Company to needless liability. Therefore, please confirm that The Times has protocols and procedures requiring editors and management to secure the advice of the Legal Department before spurning requests for correction of false and defamatory matter and that such were herein complied with.

Thank you.

Yours for a quality judiciary  
and responsible journalism,



ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

cc: Solomon B. Watson, IV, Senior Vice President & General Counsel



\*\*\*\*\* WELCOME TO \*\*\*\*\*  
MARTINE STA.  
WHITE PLAINS, NY 10602-9997  
12/01/05 09:10AM

Store USPS Trans 20  
Wkstn sys5004 Cashier KYFH72  
Cashier's Name MARLENE  
Stock Unit Id SIAMARLENE  
PO Phone Number 800-275-8777  
USPS # 3590960137

1. First Class	0.37
Destination:	10036
Weight:	0.30 oz.
Postage Type:	PVI
Total Cost:	0.37
Base Rate:	0.37
2. First Class	4.42
Destination:	10036
Weight:	0.50 oz.
Postage Type:	PVI
Total Cost:	4.42
Base Rate:	0.37
SERVICES	
Certified Mail	2.30
70022030000785729075	
Rtn Recpt (Green Card)	1.75
Subtotal	4.79
Total	4.79
MasterCard	4.79

<23-903610483-96>

MasterCard  
ACCT. NUMBER CLERK ID  
XXXX XXXX XXXX 9662 04  
AUTH 121005 CREDIT TRANS # 188

ALL SALES FINAL ON STAMPS AND POSTAGE.  
REFUNDS FOR GUARANTEED SERVICES ONLY.

Number of Items Sold: 2

Thank You  
Please come again!

9075  
8572  
8000  
2030  
2002

**U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

NEW YORK, NY 100-1000

Postage	\$ 0.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 4.42

12/01/05

RECEIVED  
MARLENE STA.  
CLERK 10027PH72

Sent To *George Greene, Asst. General Counsel*  
Street, Apt. No.;  
or PO Box No.  
City, State, ZIP+4 *229 West 43rd St  
NY NY 10036*

PS Form 3800, June 2002

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*George Greene,  
Asst. General  
Counsel*

*NYT Co  
229 W 43rd street  
NY, NY 10036*

2. Article Number

(Transfer from service label)

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  
*Roberto Luria*  A  
 A

B. Received by (Printed Name) *Roberto Luria*  C. Date of  
 7

D. Is delivery address different from item 1?  If YES, enter delivery address below:  N

3. Service Type  
 Certified Mail       Express Mail  
 Registered       Return Receipt for Merchandise  
 Insured Mail       C.O.D.

4. Restricted Delivery? (Extra Fee)  Y

7002 2030 0007 8572 9075